

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	SOLICITOR	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
	Office 1 2007 PATENT & TRADEMARK OFFICE	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court EDMO on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 4:07cv2099DJS	DATE FILED December 21, 2007	U.S. DISTRICT COURT EASTERN DISTRICT OF MISSOURI
PLAINTIFF GREENSTREAK GROUP, INC.		DEFENDANT P.N.A. CONSTRUCTION TECHNOLOGIES, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,354,760		SEE ATTACHED COMPLAINT
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
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5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Cover Sheet
Case number: 4-07-cv-02099-DJS
Document #: 1 Main Document
Document behind cover is 3 page(s)

U.S. District Court
Eastern District of Missouri (LIVE)

Notice of Electronic Filing

The following transaction was entered on 12/27/2007 at 8:12 AM CST and filed on 12/21/2007

Case Name: Greenstreak Group, Inc. vs. P.N.A. Construction Technologies, Inc.
Case Number: 4:07-cv-2099
Filer: Greenstreak Group, Inc.
Document Number: 1

Docket Text:

COMPLAINT against Defendant P.N.A. Construction Technologies, Inc. with Jury Demand filed by Greenstreak Group, Inc.. 1 Summons issued, Disclosure of Corporate Interest issued to P.N.A. Construction Technologies, Inc., (Attachments: # (1) Exhibits, # (2) Civil Cover Sheet, # (3) Original Filing Form, # (4) Summons)(CDD)

4:07-cv-2099 Notice has been electronically mailed to:

Nicholas B. Clifford, Jr nclifford@armstrongteasdale.com, mscott@armstrongteasdale.com

4:07-cv-2099 Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREENSTREAK GROUP, INC.,

Plaintiff,

vs.

P.N.A. CONSTRUCTION TECHNOLOGIES,
INC.,

Defendant.

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§

No.

JURY TRIAL DEMANDED

COMPLAINT FOR DECLARATORY JUDGMENT

COMES NOW Plaintiff Greenstreak Group, Inc. ("Greenstreak"), by and through its counsel, Armstrong Teasdale LLP, and for its complaint for declaratory judgment against P.N.A. Construction Technologies, Inc. ("PNA"), states as follows:

Nature of Claim

1. This action arises under the Patent Laws of the United States, 35 U.S.C. §§ 1, *et seq.* and seeks a declaratory judgment pursuant to 28 U.S.C. §§ 2201-02.

Parties

2. Greenstreak is a corporation organized and existing under the laws of the State of Missouri with its principal place of business in St. Louis, Missouri.

3. Upon information and belief, PNA is a corporation organized and existing under the laws of the State of North Carolina with its principal place of business in Atlanta, Georgia.

Jurisdiction and Venue

4. This Court has personal jurisdiction over PNA because, upon information and belief, PNA regularly conducts business in the State of Missouri with customers located in the State of Missouri.

5. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338 as the claim involves questions of federal law under the Patent Laws of the United States and the Declaratory Judgment Act.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400.

Count I - Declaratory Judgment

7. Greenstreak incorporates by reference paragraphs 1 through 6 into Count I as if fully set forth herein.

8. This claim seeks a declaratory judgment pursuant to 28 U.S.C. §§ 2201-02.

9. There is an actual and justiciable controversy between the parties with respect to Greenstreak's alleged infringement of United States Patent No. 6,354,760 ("the '760 Patent"). A true and accurate copy of the '760 patent is attached as Exhibit A.

10. On December 18, 2007, patent counsel for PNA sent a letter via facsimile to Greenstreak giving notice that Greenstreak "infringes [the '760 patent] by the manufacture, use, sale, and offer for sale of the Double Tapered Basket that Greenstreak has introduced." See Exhibit B, attached hereto. The letter states, "PNA demands that Greenstreak cease manufacture, use, sale and offer for sale of its Double Tapered Basket product." This demand puts Greenstreak in the position of either pursuing arguably illegal behavior or abandoning that which Greenstreak claims a right to do.

11. Greenstreak does not infringe any valid claim of the '760 Patent.
12. Greenstreak is entitled to a declaratory judgment that Greenstreak does not infringe any valid claim of the '760 Patent.

Demand for Jury Trial

13. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Greenstreak hereby demands a jury trial of all issues so triable.

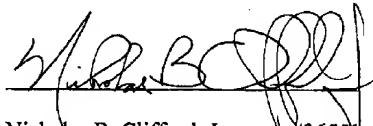
Prayer for Relief

WHEREFORE, Greenstreak respectfully requests the following relief:

(A.) A declaratory judgment that Greenstreak does not infringe any valid claim of the '760 Patent, that this is an exceptional case, and that Greenstreak is entitled to an award of attorney's fees pursuant to 35 U.S.C. § 285 and for costs;

(B.) Any and all such further relief as this Court may deem just, necessary or proper.

Respectfully submitted,



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Attorneys for Plaintiff

Cover Sheet
Case number: 4-07-cv-02099-DJS
Document #: 1 Attachment #: 1
Document behind cover is 21 page(s)

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